



DRAFT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (SPTO)
RECEIPTS/ACCOUNTS
DIVISION

in re Application of:
Roch Listz MAURICE, et al.

2009 NOV 23 PM 4:38

Appl. No.: 10/588,421

Art Unit: 3768

Filed: May 17, 2007

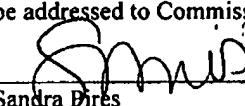
Examiner: Nigel Rai FONTENOT

For: METHOD AND SYSTEM FOR
VASCULAR ELASTOGRAPHY

Atty. Docket: BCM-009US

Certificate of Mailing

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 17, 2009.


Sandra Pires

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

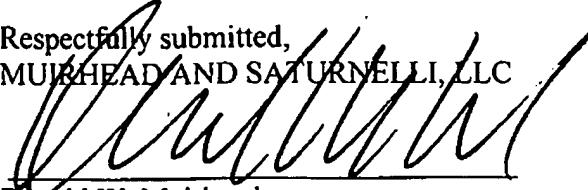
Sir:

Applicant respectfully requests a refund of filing fees based on later establishment of small entity status under 37 C.F.R. 1.28(a) for the above-referenced application. As required under 37 C.F.R. 1.27(c), Applicant asserts that the above-noted application is entitled to small entity status. As required under 37 C.F.R. 1.28(a), Applicant is submitting this request for refund and small entity assertion within three (3) months of the date of timely payment of the full fee (paid on the filing date of the above-noted application).

Applicant respectfully requests a refund **\$555.00** as the difference between the Large Entity Fee and the Small Entity Fee inadvertently paid as a Large Entity fee for filing a Petition for Three Month Extension of Time on November 12, 2009. Under 37 C.F.R. 1.26, Applicant respectfully requests that the above-noted amount be refunded to Applicant as a credit to our Deposit Account Number **50-3596** for the above-noted application.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (508) 898-8603.

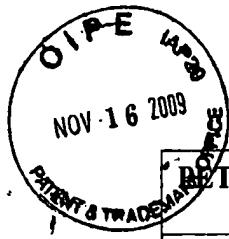
Respectfully submitted,
MUIRHEAD AND SATURNELLI, LLC


Donald W. Muirhead
Registration No. 33,978

November 17, 2009

Date

Muirhead and Saturnelli, LLC
200 Friberg Parkway, Suite 1001
Westborough, MA 01581
Customer No.: 54004



EB/

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number: BCM-009US
Application Number:	First Named Inventor:	Filed:
10/588,421	Roch Listz Maurice	May 17, 2007
For: METHOD AND SYSTEM FOR VASCULAR ELASTOGRAPHY		
Examiner: Nigel Rai FONTENOT	Art Unit: 3768	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 130.00	\$ 65.00	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 490.00	\$ 245.00	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,110.00	\$ 555.00	\$ 1,110.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,730.00	\$ 865.00	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,350.00	\$ 1,175.00	\$ _____

12/09/2009 0030077587

Applicant claims small entity status. See 37 CFR 1.27.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3596.

12/09/2009 SRIBET01 00000001 10588421

credit card return Total: \$555.00

01 FC:2253 555.00 0P

Am Exn XXXXXXXXXXXXXXX1003

WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number 33,978

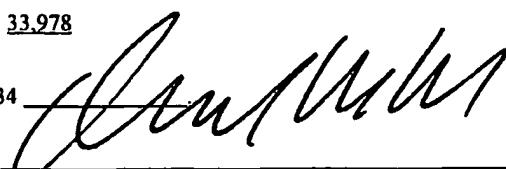
Adjustment date: 12/09/2009 attorney or agent under 37 CFR 1.34.

11/17/2009 CCHAU1 00000018 10588421
-1116.00 0P Registration number if acting under 37 CFR 1.34

01 FC:1253

November 12, 2009

Date


Signature

(508) 898-8603

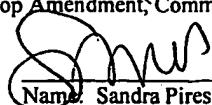
Telephone Number

Donald W. Muirhead, Reg. No. 33,978

Typed or printed name

Certificate of Mailing

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 12, 2009.


11/17/2009 CCHAU1 00000018 10588421

Name: Sandra Pires

01 FC:1253

1110.00 0P

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.